

SENATE MOTION

MADAM PRESIDENT:

I move that Engrossed House Bill 1102 be amended to read as follows:

1 Page 26, between lines 40 and 41, begin a new paragraph and
2 insert:
3 "SECTION 29. IC 33-37-6-2 IS AMENDED TO READ AS
4 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 2. (a) A payment made
5 under this chapter does not finally discharge the person's liability, and
6 the person has not paid the liability until the clerk receives payment or
7 credit from the institution responsible for making the payment or credit.
8 (b) The clerk may contract with a bank or credit card vendor for
9 acceptance of bank or credit cards. However, **subject to subsection (d)**,
10 if there is a vendor transaction charge or discount fee, whether billed to
11 the clerk or charged directly to the clerk's account, the clerk shall collect
12 a credit card service fee equal to the vendor transaction charge or
13 discount fee from the person using the bank or credit card. The fee
14 collected under this section is a permitted additional charge to the
15 money the clerk is required to collect under section 1(1) of this chapter.
16 (c) **Subject to subsection (d), the clerk may contract with a**
17 **payment processing company, which may collect a transaction fee**
18 **from the person using the bank or credit card. The fee collected**
19 **under this section is a permitted additional charge to the money the**
20 **clerk is required to collect under section 1(1) of this chapter.**
21 (d) **The clerk shall collect and deposit in the appropriate fund**
22 **an amount not less than the amount the clerk would collect and**
23 **deposit if the clerk received payment by a means other than a bank**
24 **or credit card."**

25 Renumber all SECTIONS consecutively.
 (Reference is to EHB 1102 as printed February 15, 2006.)

Senator STEELE